S.B. CIVIL WRIT PETITION NO.7624/2007.
Pushpa Devi Sharma Vs. State of Rajasthan & Ors.

Date of Order :: 17th December 2007

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. Sanjeet Purohit, for the petitioner.

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BY THE COURT:

The petitioner working on the post of Teacher Gr.III having been transferred by the order dated 03.11.2007 seeks to question her transfer order with the submissions that the order impugned has been issued only in order to accommodate the respondent No.4; that the persons with longer stay have been retained and the petitioner has been unnecessarily subjected to transfer; and that she had been managing the affairs of the family also and would suffer serious inconvenience.

Without commenting on the merits of the grounds sought to be urged by the petitioner, this Court is clearly of opinion that nothing prevented the petitioner from taking resort to the alternative remedy of filing an appeal before the Rajasthan Civil Services Tribunal and there appears no special reason or circumstance wherefor the petitioner be permitted to by-pass the alternative remedy of appeal and to maintain directly a writ petition.

For being not inclined to entertain the matter in the extra-ordinary writ jurisdiction, this Court would not make any comment on the merits of the grounds sought to be urged by the petitioner leaving it open for the petitioner to take resort to the alternative remedies in accordance with law.

Exercise of writ jurisdiction in this matter is refused; and the petition is rejected.

(DINESH MAHESHWARI), J.

Mohan/